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To: Microsoft ATR
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Subject: Comments on proposed Microsoft antitrust settlement

I am shocked at the leniency that Microsoft will receive in the latest proposed antitrust settlement. Microsoft has for years bullied and illegally used its monopoly power to quash competition and force its products upon consumers, and I see nothing in the proposed settlement that will prevent them from doing so in the future. Microsoft did not emerge victorious in the word processor, spreadsheet, and internet browser markets because its products were vastly superior to those of its competitors. It did so solely by illegally leveraging its monopolistic position in the operating system market. Am I to believe that Microsoft Word was so much better than the once reigning word processor, WordPerfect, that Microsoft now deserves to hold 94% of that market? Or that Lotus' spreadsheet and Netscape's Navigator browser were so inferior to Microsoft's products, that their markets now rightly belong entirely to Microsoft as well? I personally did not switch from using WordPerfect to MS Word several years ago because I thought that the latter was a superior product. I was forced to do so because all of the PCs at my workplace came preloaded with Microsoft products at the expense of its competitors, thanks to Microsoft's illegal bullying of PC manufacturers. Now that Microsoft has already taken these markets and overwhelmed its competition with its monopolistic leveraging, is the latest settlement proposal somehow going to right these past wrongs, ensure a completely level playing ground in the software market, and bring these pioneering companies back to the prominence that they truly deserve? The fact of the matter is the damage has already been done, Microsoft has won on its own terms, and its technology is now even more deeply entrenched in the market. The latest antitrust remedy will do little to rectify this situation. If Microsoft's operating systems will still be free of any significant restrictions, if they do not open up their APIs, and if they can still bundle anything they want with their operating systems, what exactly are they sacrificing? Many of the provisions of this mild settlement reflect changes that Microsoft has already made, so the settlement itself seems to be a moot point now.

I am frankly very surprised that the Justice Department chose not to break up Microsoft into two separate companies: one which develops operating systems, the other which develops applications. This seemed to be the most logical and fair remedy, as it would ensure that Microsoft could not continue to tie its applications so closely to its operating systems. At the very least, Microsoft would have had to consider every company's applications equally in determining which to bundle with its operating systems. Given Microsoft's historical disdain for fair play and its reputation for evading past remedies, does the Justice Department truly believe that Microsoft will suddenly stop using its monopoly to favor its own applications? It seems obvious to me that Microsoft will continue to have an unfair advantage over its competitors.

It is clear that Microsoft currently has the power to control the direction of computing, regardless of how popular or powerful competing technologies may have proven themselves to be. Take Sun's Java technology, for example. Microsoft is the only company in the world that has the power and audacity to exclude something like Sun's Java Virtual Machine from future versions of its operating systems. Over the past five years, Java has established itself as the undisputed de facto standard for running applications on multiple platforms, and yet Microsoft won't include this technology in Windows. Java has taken the software industry by storm since its emergence, and yet Microsoft has decided to go against this overwhelming tide. Can you think of any other software company in the world that could conceivably reject a technology that's as popular and as mature as Java already is today, and still get away with it? Microsoft's advocacy of "innovation" only seems to apply when it is done on Microsoft's terms, using Microsoft technology. Their definition of "innovation" seems to involve identifying a competitor's product, buying it outright or coming up with their own version which runs only on Windows, killing off the competition using their monopoly, and then declaring to the world that they have "innovated" for the benefit of consumers. They are attempting to do this now by subverting Java as the predominant multiplatform technology and replacing it with their own ".Net" technology.

I used to scoff at the idea of Microsoft being able to dominate the Internet, but it has now become clear to me that not only is this entirely feasible, it is exactly what they will succeed in doing without a stronger antitrust remedy. Microsoft will continue to leverage its monopoly to advance its .Net technology while killing off Java and other companies' innovations unless the Justice Department does something to rectify the situation. To be fair, Microsoft has surely had an enormous positive impact on the industry as a whole, though for the most part this has meant standardizing the entire world on a Microsoft platform. What they have consistently done to the detriment of consumers has been to illegally use their monopoly to kill off competitors' innovations in favor of their own version of "innovation". What consumers need now is a remedy that will prevent Microsoft from forcing its products upon us, while other companies' valuable innovations fall by the wayside. While the computer world has become a better place with Microsoft in it, it would certainly become much better place if only it played fairly. I hope that the Justice Department will reconsider the current proposal in favor of a stronger response to Microsoft's predatory, unfair, and clearly illegal tactics.

- A Concerned Consumer (and user of Microsoft products)